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(35 U.S.C. 122(b)(2)(B)(ii))  
AND, IF APPLICABLE  
**NOTICE OF FOREIGN FILING**  
(35 U.S.C. 122(b)(2)(B)(iii))

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Application Number	10/613,521
Filing Date	07/03/2003
First Named Inventor	Jay P. Morreale
Title	Method and Apparatus for Using Optical Idler Tones For Performance Monitoring In A WDM..
Atty Docket Number	9005/10
Group Art Unit	Unassigned
Examiner	Unassigned

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request

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*If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).*

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Name (Print/Type) Marjorie Scariati

Signature Marjorie Scariati

Date

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Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# Fax

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